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THE

SPEECH

OF

THE HON. J.^R^ RANDOLPH,

REPRESENTATIVE FOR THE STATE OF VIRGINIA,

IN THE

GENERAL CONGRESS

OF AMERICA;

ON A MOTION

FOR THE NON-IMPORTATION OF BRITISH MERCHANDIZE,
PENDING THE PRESENT DISPUTES BETWEEN

GREAT BRITAIN AND AMERICA.

WITH

AN INTRODUCTION

BY THE AUTHOR OF "WAR IN DISGUISE."

(NEW YORK: PRINTED.)
LONDON: RE-PRINTED
FOR J. BUTTERWORTH, FLEET-STREET;
AND J. HATCHARD, PICCADILLY.

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THE Author of the Introduction offers as an apology for defects in its style and its inadequacy to its very important subject, the extreme haste in which it has been composed, through an apprehension that the great question discussed in it, is on the point of decision by his majesty's ministers. The speech of Mr. Randolph arrived from America on the 30th of last month, and this morning, the last page of the Introduction has gone to press.

May 2, 1806.

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INTRODUCTION.

SIX months had elapsed since the pamphlet called "War in Disguise" was first given to the public, without any opponent having entered the lists, to dispute before British judges, either the justice, or the policy, of its views.

The Editor of the Parisian Argus indeed, who degrades the English language by prostituting it to the service of a tyrant, had favoured that work with an early and honorable censure; but at home, it had been noticed with uniform assent to the truth and importance of those practical conclusions to which the Author had reasoned; and in neutral countries it had been encountered only by such vague clamours, as scarcely admitted of, much less deserved, a reply.

I therefore had no inducement to invoke again the attention of the public on the great subject of our maritime rights.

Much, very much, of new argument was offered to me by the awful changes in the state of the war, which the treaty of Presburg had occasioned;

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but I had reason to believe that enough had been said to satisfy Englishmen at least; and I hoped that if other nations had objections to offer, they would not be admitted by our government so precipitately, as to preclude a volunteer in the cause of his country from sustaining against them the arguments he had advanced.

On a sudden, some of these circumstances are unexpectedly reversed.

Within a few days, a pamphlet has been put into my hands, which under a more comprehensive title, discusses the subject of our present dispute with America; and which without professing to be an answer to the work called "War in Disguise," controverts its most important conclusions.

Before I had found time to give this antagonist deliberate attention, another has taken up the gauntlet under the formidable armour of a reviewer; and at the same moment, a third, who has not yet issued from the press, menaces me with declared hostility in the form of legitimate war*.

But alas at this moment a rumour has reached my ears, far more alarming than the united attacks of the ablest controversial opponents.

It is said that his Majesty's ministers are on the point of giving way to the injurious claims

* The second antagonist alluded to is a writer in the last published Edinburgh Review. The third is an American, whose work is announced for republication in this country.

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and menaces of America, and renouncing for ever the maritime rights in dispute.

May the report prove to be erroneous. It is due to the high characters which compose the present cabinet, to believe that it will be found so; and in that case I will joyfully apologise to them for having one moment listened to the tale.

But if there be indeed a yet unexecuted purpose of this nature in the mind of any British minister—if all the recent triumphs of our flag, and the majestic ascendency of our navy, have not precluded the thought of thus truckling to the invaders of our maritime rights, then indeed it is high time for every Englishman who foresees the consequences, to lift up a warning voice, while there is yet a chance of being heard, and of averting the impending mischief.

Impressed with this anxious reflection, I feel that to arrest decision, is now the first and most urgent object, in this great national cause. To reply to those opponents whose arguments I have seen, would be no difficult task; but before I return their broadsides, I must run hastily upon deck, and beseech the commanding officers not yet to strike the colours.

A few hours only have elapsed since I took up the pen for this purpose, but with great difficulty how to reconcile the magnitude of the considerations which pressed upon me, with the urgent call for dispatch, when the arrival of a mail from America, quite accidentally, but most seasonably,

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placed in my possession the following important speech*.

I perceived in it at once a most desirable substitute for those arguments which I was on the point of composing.—My object was not to fortify former positions of right, much less to enter at large into the new relations of the American controversy; but only to deprecate premature determination, and obtain time for further discussion.—What then could be more abundantly sufficient for my purpose than this speech of Mr. Randolph?

It cannot be supposed that his Majesty's minister can wish precipitately to relinquish our belligerent rights or pretensions at this most delicate crisis, unless from the fear that an immediate rupture with America must be the consequence of further delay; but surely no reflecting mind after attending to this speech, published, as well as spoken by an American political leader of the first eminence, can retain that idle apprehension.

The occasion of Mr. Randolph's argument, was a motion made by the most zealous of the French party, for a general non-importation bill; i.e. for the prohibition of importing any British manufactures, while the disputes between the two countries are unsettled; and the event of this motion was a decision in the negative, by a majority of 70 to 47—It appears therefore that Mr. Randolph's very powerful and eloquent arguments, were assented to by a large majority.

* I write on the 1st of May, and hope, before I sleep, to send this hasty composition to press.

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Afterwards, on the 17th of March, a limited non-importation resolution was brought in by the same party, and carried on a division of 87 to 35, in the House of Representatives; but from the latest accounts there is reason to believe that it was rejected by the Upper House or Senate.

The opposition, headed by Mr. Randolph, had defeated, in former instances the violent proposals of the government party, or rather of the French faction, by which the government party itself was pushed on to violent measures. Yet the government, and even the French faction, did not venture to propose immediate war.—When therefore we are instructed by this able and interesting speech, in the principles and views of the American opposition; and perceive that a war with this country would be most powerfully opposed, even in a case of strong and acknowledged provocation, it seems absolutely impossible to apprehend that the Congress would resort to that extremity, or to such offensive measures as must inevitably lead to war, rather than admit of a deliberate, or even a tedious discussion.

I wish the patience of the neutralizing agents in this country, who, under the specious name of British American merchants, may be secretly importuning government for a decision favourable to their private views, could be as surely relied upon. It is not only in America, I fear, that "the spirit of avaricious traffic," to use the words of Mr. Randolph, is opposed to the national welfare.

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If the people of the United States could in any case be brought to submit to the burthens of a maritime war, for the sake of what this gentleman justly represents as an ephemeral and precarious commerce, it must be at least on an ultimate refusal of redress for wrongs, which had been most fully investigated, and incontestably established.

The authority of Mr. Randolph is the more satisfactory on this point, because he does not directly dispute the justice of those complaints which the clamours of the neutralizers had for the moment made popular in America.—It is indeed easy to perceive, that this candid and enlightened patriot, saw the injustice of the quarrel, in which self-interested men endeavoured to involve his country.—But he was too wise, needlessly to oppose himself to those prejudices, the force of which it was better to elude.—He avoids therefore the question of right, and admitting for the sake of argument at least, that the pretended injuries are real, asserts in terms of the most absolute assurance, that the people of America will not consent to avenge them by war.

"I will agree, says he, to pass for an idiot, if this "is not the public sentiment, and you will find it "to your cost, begin the war when you will." (See p. 12.)

It is not however solely, or chiefly in regard to the question I have now in view, or the safety of further discussion, that the speech of Mr. Randolph is important.

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I invoke the declarations of this American leader, made in the hearing of Congress, to attest, that the strictures on the colonial traders of that country contained in my former publication, were in no degree unfounded.—I appeal to his sentiments on the true interests of his fellow-citizens at large, that they are on the same side of this controversy with our own.—I rely on his opinion, and still more on his irrefragable arguments, in proof that a war between that country and this, would be but in a slight degree noxious to the commerce of Great Britain; while its consequences would be ruinous to America, and such as her citizens would not even for a brief period, be brought patiently to endure.

In a word, I quote this respectable authority, not only as a caution against precipitated determination, but to shew that timid and ruinous concession, may be safely and finally avoided.

But what makes this very intelligent speech more encouraging to the friends of peace and justice, as well as highly deserving profound attention in both countries, is the correctness of its views as to the power and policy of France. I rejoice for the sake of America and of Europe, that there are statesmen in the new world, capable of so clearly discerning, and so eloquently exposing, its dangers from French ambition, and its interest in the navy of England.

And here let it be observed, that when Mr. Randolph addressed such considerations to the Ameri-

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can Congress, the humiliation and ruin of Austria, and the other recent disasters of Europe, were but imperfectly known beyond the Atlantic. The peace of Presburg, and the consequent mutilations of the Germanic empire, seem not to have reached the ears of this antigallican patriot; much less could he know or foresee the perfidious conduct of Prussia, the enrollment of that power, hitherto neutral, under the banners of French ambition, and the exclusion of British merchandize from every country, hostile or neutral, in which the behests of Bonaparte can by violence or terror be enforced.

If these new circumstances of the war had been known to Mr. Randolph, how much would his just apprehensions, from the preponderance of French power, have been aggravated; how much grosser would the impolicy of contributing to the ruin of England have appeared to him; how greatly would that sense of the justice of our cause which may be inferred from his language, have been fortified.

And here let me notice, with such brief generality as the urgent necessity of dispatch, under the sense of which I now write, prescribes to me, a new foundation of right which arises from the recent conduct of the enemy.

Let it be supposed that all the arguments which have been hitherto offered by my own, and far abler pens, in defence of the rule of the war 1756 are utterly inconclusive; and that though unan-

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swered (except by the grossest misrepresentations of notorious facts) they are capable of being clearly refuted; still we have a new case, on which it seems impossible that two different opinions should be held.

What! is Bonaparte to exclude British sugar and coffee, from the continent, and is America to enable him to do so, by supplying it with French and Spanish sugar and coffee, in their stead? Are *neutral* markets even, to be shut by violence against our planters, that our enemies may establish there a monopoly against them? Are the merchants of neutral states, to be laid under an interdict as to the carriage of British manufactures or merchandize to friendly ports; and while submitting as they do to that interdict, can they assert nevertheless against us, a right to carry the manufactures of our enemies, to the colonies of France and Spain? Are neutrals, in a word, to give effect to a system avowedly adopted for the destruction of English commerce, yet found on their amity with England, a right to prevent or frustrate a retaliation on our part against the commerce of our enemies?

Yet this is, in truth, but a part of the enormous case. By what means, has France acquired the power of enforcing her prohibitions? By the same foul means which have enabled her to overthrow Austria, to break up the foundation of the Germanic empire, and add all Italy to her usurpations; by the most audacious violations of neutral rights, that ever disgraced the page of history, or subverted the security of nations.

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Here, we have no controverted principles to assume, in maintaining the opprobrious charge. It is not, that on the ocean, and in the interruption of a commercial intercourse with a belligerent, neutral pretensions are opposed; but, it is that into the heart of peaceful cities, and among the villages of a harmless peasantry, armies are sent to levy contributions, or pursue their desolating march, by a power which does not allege against the hapless sufferers either the rights of war, or the provocation of a wrong. Anspach, Hanover, Switzerland, Hamburgh, Frankfort, even Rome itself, where a reconciled apostate might have been restrained by decent respect to the superstition he has professed to resume, these, and many other places, need but be named, to call up abhorrence of the usurper's maxims, and to show his utter contempt for the most acknowledged and sacred of neutral rights, whenever he has power to invade them. Even bed-chambers are not safe for princes, in the bosom of a neutral court.

" But are other nations responsible for these " outrages?" not directly so, I admit. Whether it be not a duty of neutral powers to unite in controling them, and protecting those sacred principles by which the community of nations is bound together, from further violation, is a question not hard to decide. But all I contend for here, is the very moderate position, that neutral nations ought not actively to assist in giving effect to a system, which is planted sustained and expanded by these invasions of neutral rights.

If they will tamely permit Bonaparte to exclude ships when laden with our merchandize from Ham-

burgh, and such other maritime places, yet permitted to be called neutral, as the terror of his arms has already shut against us; and to extend, as he now threatens, the same system to Portugal and Denmark; it is not neutral, it is not equal, to deny a like latitude to us; and they would have no right to complain, if we should apply the same interdiction as generally, to the merchandize of our enemies, wherever our power extends; that is, to every maritime part of the globe.

Colonial produce and supplies alone, are the subject now in dispute with America; but here is a principle, on which we might fairly interdict the carriage of French, Spanish, and Dutch goods in general, whether colonial or European; and not in particular voyages alone, but in any part of the ocean. If not, then the rights and duties of neutrality are all on one side, and Bonaparte has already obtained some of the legal effects of that sovereignty, to which he now openly aspires over the kings and kingdoms of the earth. He has imperial prerogatives in the courts of nations, in which a British monarch has no right to participate*.

Hitherto, it is a principle of natural reason, to which no writer on the law of nations has objected, and which most of them have express-

* This seems to be acknowledged by some of those writers who have kindly attempted of late to flatten the spirits of the public, and prepare us for submission to France. They are prudently sparing, in general, of their peace prospects; but one of them fairly lets out, that one necessary mean of conciliating Bonaparte is, the restraining the liberty of our press; and adds, "*if we desire to remain at peace with Bonaparte, let us beware how we venture to treat him with the same freedom as George the Third. He*

ly affirmed, that impartiality is one of the duties of neutral states; and a branch of this duty is, that what they permit to one belligerent, they must be ready to permit to the other. Even the king of Prussia, acknowledged this obligation, when he gave passage to the Russian army, on hearing of the violation of Anspach; nor has the French despot himself, had the assurance openly to find fault with the act.

"But America, it may be said perhaps, has "not yet been prevented by France, from carrying "any goods whatever to the ports of this country, "or our colonies."

France, I admit, has not extended her commercial interdict, where she had not power to extend it.—She has no naval arms, and therefore can bolt the door against commerce on the inside only, not lock it from without: nor can she prevent importation into countries, into which her battalions cannot advance.

But if she has not prevented importation by neutral vessels, into England she has done more, much more for the purpose of my argument, by excluding them from neutral ports.

America is prevented from importing British goods into Hamburgh for instance, not because it is the will of the senate of Hamburgh, but because it is the mandate of France; and America will submit to this prohibition, as she has done to other injuries of the same species, from the same unprin-

"will avenge with the *sword*, the insults offered by the *pen*." (Thoughts on the relative State of Great Britain and France, p. 62.) Happily we are not yet at peace with Bonaparte; and on these terms I trust we never shall.

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cipled power.—On what consistent pretence then could she complain, if we should forbid her carrying French goods, whether colonial or European, to Copenhagen or Lisbon? How otherwise are we to obtain equality, in respect of neutral commerce?

We may blockade, it is true, the ports from which our goods are excluded; but this is often an ineffectual resort, as well as always an expensive one, and a diversion of our naval force from more active service. Neither can it be expected, that we can spread our blockades over every harbour or accessible coast, to which Bonaparte can extend his exclusive system by land.

Besides it would be absurd to maintain, that, we may lawfully blockade neutral ports as a rightful defence against this unprecedented system of war; and yet have no right to retaliate on the trade of the enemy's ports, lest neutral interests should suffer.

The blockades too, however completely enforced, would be obviously ineffectual, to prevent the meditated injury to our colonies and our commerce. Our sugars are shut out from Hamburgh, and we exclude French and Spanish sugars in return by our blockade. What then? If we allow the latter to be carried to Embden, to Antwerp, or any other unblockaded port, the same continental markets are effectually supplied, by means of interior navigation, with the French or Spanish article, which, Hamburgh before supplied with, the British.

If, by a just and necessary retaliation, we should prevent the supply generally in neutral bottoms, the growing dearth of the article, would soon frustrate the hostile prohibition, or oblige the enemy to recall it: but while French and Spanish

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produce, can be plentifully obtained from neighbouring ports, this natural remedy cannot operate; and our blockade rather tends in a commercial view to increase, than diminish the evil.

This partiality therefore in the acquiescence and the resistance of neutral states, amounts not merely to passive injustice, but to an active and pernicious co-operation with the enemy in his efforts to destroy our commerce; yet though he tramples for that end on the most indisputable rights of neutrals, their extreme, abstract, and most doubtful rights, are strangely set up against us, to effectuate his injurious purpose.

The main though preposterous defence of the frustation of our hostilities against the enemy's colonial trade, is his right to open his own ports; but has he a right to shut up neutral ports, as well as to open his own? Here at least the land right, will not bear out the sea wrong. Besides, America has now shrunk from this favourite principle of hers, when she had to deal with a power that would not be bullied—She has not only suffered France to take her ships when trading to St. Domingo, but at the imperious mandate of that power has passed a law to forbid the trade to her subjects. Is it because Dessalines has not as good a title to Hayti, as Bonaparte to Naples? I should deny the proposition—even as to Paris: but at least Dessalines has as good a right to make laws in Hayti, as Bonaparte at Hamburgh.

If the nation which is called on to submit to such injurious inequality of treatment, were feeble or inferior at sea, the too common disposition in the strong to oppress the weak, might account for the

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unjust demand. But what in the present case may well excite astonishment, as well as indignation, is, that this injustice is offered to a nation, whose power to resist it, is as indisputable, as her right to do so—whose invincible and magnificent navy rides triumphant on every sea; who, to use the words of Mr. Randolph, " has annihilated the marine of her " enemies," and might boldly defy the combined hostility of all the maritime nations on the globe, to snatch the trident from her hand.

That France, an exile from the ocean, should under such circumstances, have the assurance to wage with us a war of commercial exclusions, is singular enough. But if neutrals will persevere in their present conduct, and if England timidly submit to it, the plan is perfectly rational, and cannot fail of final success.

Behold then a new prodigy of this extraordinary age—The utmost maritime strength is impotent to protect commercial navigation; and a power that is driven from the ocean can destroy the trade of his enemy!

But the paradox is of easy solution.—The plain key to it, is, the new and compendious principle *that the rights of neutrality, are nothing on shore, but every thing at sea.*

If this doctrine is to prevail, let us beseech the people of the United States, to relieve us from the burden of those eight hundred men-of-war, which Mr. Randolph, with but a small exaggeration, supposes us at present to possess—to take also off our hands, this island, which we cannot long hope to defend, and give us a district beyond the Blue Mountains, in exchange.

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At present we have no such distant retreat, as Mr. R. speaks of, from the arms of an invader; no alternative to that naval war, which he wisely declines.

Surely such new and forcible considerations as the present conjuncture affords, cannot fail to have an influence on the minds of the American people. It is true, they might have been suggested in some degree, by the conduct of France, at an earlier period of the war; but the exclusion of our commerce from the continent, though partially and faintly attempted before, is now for the first time distinctly avowed by Bonaparte, as the grand offensive project which is to enforce our submission; and in the execution of which, neutral nations, as he scruples not to threaten, will be constrained to concur. Neither till the defection of Prussia from the standard of neutrality, was the scheme so boldly acted upon as at present, or so capable of extensive effect.

Mr. Randolph, in one passage of his speech, seems to consider the excuse of *necessity*, as the chief argument relied upon in the pamphlet, which he does me the honour to quote; but on a reference to the work, it will be found that this was but one, among many foundations of right, on which the rule of the war 1756 was placed, and to the chief part of which no answer has hitherto been given; and it will further be found that the author did not profess to argue the question at large, even in respect of the colonial trade, much less to define and defend the whole extent of our maritime rights in the present unparalleled contest.

There are other views, still more comprehensive and important, upon which it would be much easier to justify the severest war that could possibly be waged against the commerce of our enemy, and the maritime intercourse of his usurped dominions, than to excuse the concessions that have been hitherto made in favour of neutral trade. But neither these, nor the considerations here briefly suggested, have yet been submitted to the candour of the American people.

A magnanimous, but not very prudent contempt of the popular voice in foreign countries, or at least of the means of obtaining its suffrage, has been long displayed by the cabinet of England. We fight, we pay, we negociate, but except in a formal manifesto, we do not *reason*, to the European or American public. We abandon to our enemies, the influence of every foreign press, even where the fear of French arms does not preclude a competition.

It is perhaps a natural, though accidental consequence, of our peculiar form of government—The rights and the interests of the nation, the grounds of its wars, and its treaties, are copiously discussed in parliament; and we forget that foreign politicians do not always read our debates.

The grand subject of our maritime rights, at least, has every where, out of England, been left to private and self-interested pens; and these have almost universally been in the service of the neutralizing traders. Our enemies therefore have

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walked over the course in America, as well as in other neutral countries; and the people hearing of nothing but British violence and injustice, have condemned us without a trial.

I am led to these remarks by a passage in Mr. Randolph's speech, in which he adopts an opinion currently received in America, that "War in Disguise," was written under the eye of Mr. Pitt. The same has also been affirmed confidently in all the newspapers of that country as a known fact, and has been hitherto uncontradicted. Let the author therefore do justice to the freedom and independence of his pen, at the expence of the credit which it might derive from the choice of our late celebrated minister. "War in Disguise," was not written under the eye, nor at the instigation of Mr. Pitt, or any other member of administration; nor was it honoured by his perusal till after it was given to the public. Whatever be the weakness, or the strength, of the arguments it contains, they were spontaneous and sincere, the result of uninfluenced, and, as their author believes, of impartial opinion.

But to return from this digression—If new considerations of justice, now arise to satisfy the people of the United States, that their demands are groundless in point of right; new and more powerful motives of policy, have also been furnished by the late changes in Europe, to reinforce the arguments of Mr. Randolph.

What hopes, let me ask, can they now retain, of the moderation of France, and how truly alarming to

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them ought to be the prospect of a maritime peace in Europe.

While a hope remained of a continental balance of power in the old world being restored, it was natural for the people of the United States to suppose themselves neutral in point of interest, in the event of the war, as well as in their actual relations. But which of their politicians will now be hardy enough to dispute the opinion of Mr. Randolph, that the navy of England is the sole bulwark of American commerce, and that our ruin would insure their own.

This enlightened patriot (for though as an American, addressing a republican audience, he says some things which an Englishman cannot approve, he fairly deserves that name) will I doubt not now further extend his views, and discover more clearly the Trans-Atlantic projects of French ambition which the war alone suspends.

Colonies are one of the favourite and avowed objects of Napoleon's vows, and where are rich colonies to be obtained, so easily and so speedily, as in Spanish America? What! will the conscience of Bonaparte shrink from the guilt of despoiling another branch of his murdered master's family? or is it the patient character of his policy to wait for the slow restitution of agriculture in St. Domingo, when finally regained by exterminatory war, rather than possess himself at once of all the existing wealth and all the commerce of Cuba?

His measures during the last peace furnish no argument to the contrary. They were suggested by

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gross ignorance of the true state of St. Domingo, and he therefore began where he would otherwise have ended. Besides, he was then kept a little in check by the yet unbroken power of his late enemies, and by the difficulties of his domestic situation; but the next opportunity of sending armies without obstruction to the new world, will be better improved. Hayti may serve for a feint, or even perhaps for a genuine, though secondary object; but Cuba will be occupied and ceded, and some of the feeble continental colonies of Spain will be next reduced. Louisiana will be resumed, and the southern states of the American union, will soon experience the effects of their interior system, when opposed to the hostility of an insidious and unprincipled neighbour.

But in these prospects, new perhaps to English eyes, and yet demonstrably of real probability, I am losing sight of my intended limits, and forgetting that I must not delay to give Mr. Randolph's important speech to the public at this very critical juncture.

Without therefore extending further these views of colonial usurpation, I would ask the citizens of America seriously to reflect, that the maritime power of England could alone avert from them such evils, if France were disposed to realise them. Would armies be sacrificed in the work?—What then!—Did the waste of human life beget remorse at St. Domingo? The tyrant has besides a horrible interest, in the deathful character of his Trans-Atlantic enterprises.

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Be it remembered that in the European countries which he has subjugated, and in those which he still means to subdue, there are myriads of ardent spirits whom their conqueror would be happy to dispose of in distant military service, just as he basely sent the patriot Polish legions, to do his murderous work, and perish, in St. Domingo.

How copiously might the untractable spirit of this free country, if it were conquered, add to the miserable numbers of such high-minded victims. Brethren of America, the idea, though strange and dreadful, is not beyond the range of possible events, that the volunteers of England may be sent to reduce the Spanish colonies, and to shed your kindred blood.

But America might fall even before her parent. A brief period of peace would suffice to restore the marine of France, enormously as she has now extended her means of multiplying ships; for she has found that soldiers may soon be taught nautical skill enough to man her fleets, at least as well as they have been lately manned with French and Spanish sailors. In our own service a landsman is soon converted into an ordinary seaman, and there is no motive so strong with Bonaparte for desiring that peace for which he is now busily angling, as the present impossibility of sending his soldiers to sea for education, without risquing their captivity, and the loss of the ships that carry them *.

* In the ships taken by sir Robert Calder, on their return from the West Indies, a large proportion, if I am rightly informed

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But for such an enterprise as the conquest of the Spanish colonies, a large naval force would not be wanting; armies might be landed there without resistance, large enough to maintain, as well as to accomplish, the easy work. The mother country far from protecting, durst not encourage them to resist, and I am persuaded that at this moment nothing averts a French yoke from the colonies both of Spain and Portugal, but the impervious barrier of our navy: nay that nothing suspends the fate of those mother countries themselves, but the fear that their colonies would be lost, from the want of a fleet to secure them.

Does America then hope that we shall sustain the war for ever, under all the discouragements which her injurious conduct, add to its other evils,—that we shall protect her in spite of herself; and let her bear away all the best fruits of our naval empire, while we are at all the charge of its defence?

Such conduct indeed, were there no other alternative except that of peace with France, at the present most disadvantageous moment, might be wise and necessary, for nothing could be more infallibly self-destructive, than our now throwing open the sea to Bonaparte.

But every Englishman does not concur with the great majority of the nation in this opinion.

There are writers among us, who even seem to

one-third, of their complement of hands, were soldiers, who worked with the seamen, and had been put on board for that purpose.

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regard the enormous aggrandizement of France by land, as a good argument for opening to her boundless ambition, and implacable hostility, the important passes of the ocean; who even magnify our danger from her recent territorial acquisitions, as reasons for allowing her to reap the full, immediate benefit of their commerce, and to combine with her former immense resources, the new means which they copiously afford for the restitution of her navy; who, because we cannot give back to the right owners, the territories she has ravished from other nations, would advise us to endanger our own; and who think that as kings have been the victims of our quarrel, our most honourable course is to ratify without delay, their constrained renunciations, and shake hands with the usurper over the ruins of their thrones. Such opinions too boast, though falsely I admit, of popularity, nay even of ministerial patronage.

Let not then America, seeing perhaps our obvious interest better than these British politicians, suppose herself perfectly secure from that fatal event, a speedy peace between England and France; but let her beware, lest by further discouraging our navy, ruining our colonies, and baffling all our remaining hopes in the war, she should at length dispose us to that desperate expedient, to her ruin as well as our own.

But I am forgetting that to the people of England, and to the British cabinet if necessary, not to the people of America, these pages are more im-

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mediately addressed. I am also again forgetting, that the purpose of this publication is urgent, and that my present object is only to deprecate a hasty and fatal decision.

If the judgment of those whose determination would make controversy useless, does not shut out further argument, I shall find time enough perhaps to open in a better manner, the new bearings and relations of this momentous subject; and to maintain, if necessary, the ground I have already taken in defence of our national rights.

I may then, perhaps, reply to my English, as well as my yet unseen American, antagonists. I may possibly make a convert of one of the former, who now imitates the practices which he defends, by engaging in controversial war under the neutral flag of a critic, for his opinions are founded on such erroneous premises, as may be easily corrected *; and I may possibly even be able to reply with gravity to the chief argument of my other

* The author is grateful to the Edinburgh Reviewers, for the unmerited compliments paid to his plain style and humble talents; compliments which it would cost him no breach of sincerity to repay in kind, as all who read that lively and very able Review will easily believe. But for the sake of this great public cause, he must remark, that the ingenious and elaborate argument with which his pamphlet is encountered in that popular work, proceeds chiefly on two fundamental errors in point of fact; viz. on the notion that the colonial monopoly in time of peace, extends to the exclusive *carriage in national shipping* only, not as it also does, to a *destination exclusively to and from the ports of the mother country*; and secondly, on the assumption that *the Americans always supplied*

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opponent, which courageously maintains that *it is our interest, to nourish the colonies, and protect the commerce of an enemy**.

Meantime, I must leave these assailants to spend their cross fires on each other; for the one declining the question of right, denies that it is our *interest* to suppress the trade in question; the other admits the *interest*, but disputes the *right*.

Let me for the present conclude, with a few brief suggestions to a British minister, on the supposition, that a Statesman of this country can be really disposed to give way to the present claims of America. And I will further suppose that statesman to be Mr. Fox; not merely for the sake of enlivening the idea; but for that of professing that no difference of opinion on such a subject could diminish the unfeigned respect which I feel for his manly, generous, and amiable character; since its very virtues would sufficiently explain to me the source of our disagreement.

"Pause," I would anxiously cry to him, "on a "measure which if once adopted, can never be re-"called.

"Reflect, that a stronger case for the operation

the northern nations of Europe with the products of the French and Spanish colonies. (See the Edinburgh Review, No. 15, p. 30, &c.

It was remarked in the pamphlet referred to, that few subjects are less generally understood by intelligent men, than that which the author undertook to explain; and of the truth of the proposition, stronger evidence cannot possibly be offered than these mistakes by an Edinburgh Reviewer.

* Inquiry into the State of the Nation, 4th edition, 197 to 199.

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" of the rights in question, than that which now " exists, cannot possibly arise. The present emer- " gency, the new state of the war, the new system " of annoyance adopted by the enemy, at least in " its widened compass, and increased practicabi- " lity, nay the very evils experienced by former " concessions, might now, independently of their " voluntary nature, clearly justify their entire revo- " cation, much more the rejection of claims founded " on a fraudulent abuse of our indulgence.

" But if you now give way, and give way to an " imperious demand, founded on an asserted right, " —if you lower your top-sails at the bidding of a " state which has not a ship of the line, while above " seven hundred British pendants triumphantly " maintain the empire of the ocean,—henceforth " you can set up no fair distinction, you can al- " ledge no duress of temporary necessity, to avoid " the fatal precedent,—a principle on which your " belligerent energies greatly depend, is lost and " abandoned for ever.

" Reflect also, that by this retractation of a prin- " ciple which our government, as well as its supreme " tribunals of Prize, has strongly, practically, " and as I maintain, consistently, asserted; you will " sink our credit in Europe, and give countenance " to the foul charges of Bonaparte. We shall " reasonably be regarded not only as the tyrants " of the sea, but what, if not more odious, is at " least more contemptible, as pusillanimous ty- " rants, who are insolent and audacious when unop- " posed, but shrink back from spirited resistance.

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" Nor is it in Europe alone, that we shall incur " this infamy. America herself will despise us— " Our friends in that country will be abashed, " and our enemies will triumph. Your tardy " compliance will not be ascribed to a sense of " justice, or a spirit of conciliation; but to com- " mercial panic, and the dread of a non-importa- " tion law. The advocates for violent measures " will exult in the success of that insolent policy, " which has sent you menaces, instead of arguments, " and non-importation resolutions, instead of em- " bassadors. In a word, our concessions will " purchase for us among our Trans-Atlantic bre- " thren, not good will, but derision and contempt.

" Look next to the consequences to our navy, " our colonies, and our commerce.

" Do you mean to make peace with France, and " are you sure of such terms as you are prepared " to accept? Remember still, that you have no assu- " rance, nay scarcely a rational hope, that any peace " you may now make, will last a single year; and " that the concession now demanded will not lose " its validity as a precedent, when you shall be " compelled again to draw your naval sword, and " to fight, as Mr. Randolph forcibly puts it, '*not* " *for Quebec or Pondicherry, but for London and* " *Westminster—for life.*'

" But if Bonaparte will not give us peace, or " if we are wise enough not to accept it from " him at this juncture, then advert to the conse-

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" quences of these concessions, even during the " present contest.

" I will not detain you with a description of " them; I have stated them elsewhere; and need " only add, that if you consent to depart from the " principles now acted upon in our prize courts, " our planters, and West India-merchants will " soon again be driven by an oppressive com- " petition, from all the foreign markets of Europe. " The ruin of our East-India company too, will " be advanced with an accelerated progress.

" After all, to what would I persuade you? to " quarrel with America? By no means. But to " treat with her more deliberately; to treat with her " on her own soil, at the seat of her government, " and in the bosom of her citizens; to treat with " her, after the popular effervescence excited by " self-interested men has had time to subside, and " the voice of reason and justice has been delibe- " rately heard; to treat with her, after she has " been fully instructed in the recent measures of " Prussia and France, and in the system now con- " certed for our ruin.

" The contrary course of a precipitate submis- " sion to the demands of Mr. Jefferson and his " minister, would no doubt be more palatable to " them, and to the party to which they belong. " But though I feel high personal consideration " and respect for those gentlemen, they are not " precisely the persons with whom a British minis- " ter would wish to adjust this most important con-

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" troversy. I may be mistaken in their public " views, for I profess no great acquaintance with the " interior politics of America; but it is certain that " they are regarded in that country, as partial to the " cause of France, and consequently not partial to " England.

" The Congress of the United States, alone can " declare war, or alter the pacific relations of that " country. There can consequently be no danger of " being involved in a war by delay, before a British " minister can be sent across the Atlantic. The " American embassador can have no manifesto in " his pocket. The advantage therefore of treating " under the eye and ear of a Congress, and of " a people, among whom a very considerable mi- " nority, at least, are disposed to moderation and " peace, is undeniably great.

" The only objection I can imagine possibly to " arise against this expedient, is, from the passing " of the limited non-importation bill, the fate of " which is yet unknown, and which is represented " as containing a clause making its operation de- " pend either on the fiat of the executive govern- " ment, or on that of its minister in this country; " or as other accounts intimate, on the bare event of " our refusing immediate compliance with the de- " mands of the American government.

" Now such a bill either has, or has not, been " passed by the Congress.

" In the latter case, the difficulty will not arise, but in the former, I hesitate not to say, that it

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" makes your compliance, consistently with any " regard to the dignity and honour of this great " nation, absolutely impossible.

" What! is a rod to be put into the hands of a " foreign minister, to whip us into submission; " and are we broadly and coarsely to sell our ma- " ritime rights, for the sake of passing off a little " haberdashery along with them!!!

" Are we to make a lumping pennyworth to the " buyers of our leather wares, our felt and tin " wares, and the other commodities enumerated in " this insolent bill, by tossing our honour, our " justice, and our courage also, into the parcel!!! I " would not consent to disparage even the quality " of our manufactures, much less of our public " morals, by so shameful a bargain.

" No sir! if Mr. Munro is indeed instructed " and empowered to treat with us in this humiliat- " ing style of huckstering diplomacy, a new reason " arises for delay, and for treating beyond the At- " lantic.

" Let the threatened prohibition take place. Our " hats our shoes and our teakettles must find some " other market for a few months; unless the Ame- " rican merchants should be impatient enough, to " import them by smuggling into that country in " the mean time; which I doubt not they will, in a " more than usual abundance. Perhaps when our " minister arrives, the advanced price of English " goods, and the loss of the duties upon them, may " form an argument of some weight in our favour.

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But I must have done; lest by reasoning too anxiously, I should reason too late.—" Pause then, " sir" (still to address an imagined, and, I hope, non-existent character), " pause I conjure you, on this " awful occasion. Contend at least a little longer, " for our colonies, for our navy, for our belligerent " power, for our consistency, for our dignity and " our honour."

POSTSCRIPT.

May 3d, 1806.

THE newspapers of this morning and those of yesterday, which I had not time to read till the above Introduction went to press, suggest a new reason for our not precipitately abandoning the important principle of the rule of the war, 1756, which as the delay of the press has afforded time for it, I will take the opportunity of adding.

That grand sacrifice, if we are really bold enough to hazard the consequences of making it on any terms, should at least be the subject of treaty and reciprocal compact, both with America and Denmark:—and one concession which both those powers would most willingly make, is the allowing us to intercept and condemn vessels under their colours, employed

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in supplying the French and Spanish colonies with slaves; a trade which they have prohibited by their own municipal laws, but which without our aid, they cannot effectually prevent the contraband prosecution of, even by their own subjects; much less by foreigners who assume their flags for the purpose.

The ruinous effects of this commerce to our colonies, not only through the rapid extension of agriculture which it promotes in the islands of their powerful rivals, but in the consequent advance of the price of slaves, both in Africa and the West Indies, have at length been distinguished through those dark clouds of error and prejudice, with which the storm of slave-trade controversy has long covered our West-India interests. The last administration put a stop to the fatal competition in the conquered colonies; and the present cabinet having adopted the same salutary principle, a Bill I find has yesterday passed the House of Commons, for prohibiting the foreign slave-trade generally to his Majesty's subjects—The Bill has also, as an obvious and necessary application of the same principle, precluded the fitting out of foreign slave ships from our ports; which to be sure, another principle, long since universally admitted, that of the slave carrying acts, ought in mora consistency, to have led us to prohibit long ago.

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This wise and necessary measure, officially introduced by his Majesty's Attorney General, will no doubt speedily pass into a law, for it cannot be doubted that the present able and powerful administration have influence enough in Parliament to give effect to a measure of national policy which they have adopted; or that a Bill recommended by such weighty and obvious considerations of national interest will receive from the wisdom of the Lords, the same general approbation that it met with from the Commons. In the Lower House, its advocates were, not Mr. Wilberforce, or Mr. Henry Thornton, though they no doubt silently approved; but Sir William Young, and every other West India gentleman who delivered his sentiments, with the single exception, I think, of Mr. Rose.

Assuming then, that this Bill will soon become an Act of Parliament, it now becomes consistent and decorous in us, as well as prudent and necessary, to treat with the neutral powers, for obtaining at least the allowance of so much of our maritime rights as may give effect to their own prohibitory laws in regard to this traffic; and thus effectually to prevent the supply of the hostile colonies with slaves during the war.

If our unfortunate planters must encounter a ruinous competition in the foreign markets of Europe through an unbounded indulgence to neutrals, at least let us obtain in their favour, what neutral states are willing to relinquish, and relieve them

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from a competition in the slave markets of Africa and the West Indies, by which the price of negroes is enormously advanced, and the supply of foreign sugar rapidly encreased.

I am aware that Mr. Rose's opposition to the Bill now depending may seem a dissent from these views; but that gentleman made a generous sacrifice of his own self-interested feelings as a British planter for the sake of a large national interest, which he very erroneously supposed to depend on the slave trade to the colonies of Spain; as may be seen in an account of his speech on Thursday last, and of a conversation which took place last night between him, Mr. Francis, and Mr. Wilberforce, respecting a slave-trade alleged by Mr. Rose to be now carried on through our free ports in the West Indies, to those colonies.

Sir William Young shewed by authentic documents, that if any such trade exists it must be of a narrow extent; but the truth is, that it cannot *legally* exist, at all, either by the law of Spain, or by the law of war, as obligatory on all his Majesty's subjects.

Mr. Rose overlooking this fact, supposed, in reply to Sir William Young, that though the export of slaves from our free ports to Spanish colonies might be very small, yet it was a necessary cover to obtain admission for the ships employed in the free-port trade by the laws of those colonies into the Spanish ports; and that under pretence of bringing a few slaves they smuggle in our manufactures to

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a large amount; he feared therefore a great shock to our existing commerce by a suppression of the foreign slave-trade; but if this gentleman's language is accurately reported, he proceeded on notions of the free-port trade which are radically erroneous both in point of fact and of law.

It is true, that during the last war, for a period of about four months, and in consequence of an oversight in drawing up a royal instruction, slaves were enumerated among the articles which that instruction authorized his Majesty's subjects, or Spaniards, to export by special licence from our free ports, notwithstanding the existing hostilities. But the moment this error was noticed, Mr. Pitt explained it in the House of Commons, to have proceeded from inadvertency alone, occasioned by the copying the catalogue of exportable articles from the free port acts, as in force during peace; and he indignantly disclaimed the idea of its having been intended to relax the law of war for the purpose of extending the slave trade. The instruction, which bore date November 27, 1797, was instantly revoked, and a new one, dated March 28, 1798, issued, which omitted slaves in its enumeration.

From that time to the present, the exportation of slaves during war, from our free ports to the colonies of our enemies, has been wholly illegal; and would have subjected the ship and cargo engaged in it to confiscation in the prize court.

Prior to the present hostilities with Spain, a pro-

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spective instruction was issued, empowering the governors of the free ports, in the event of a war with that power, to grant licences in the same form as in the former war. But surely no man will construe this as referring to a rule that existed by mistake for four months, instead of that corrected rule, which was in force during all the rest of the period referred to.

Had any such strange construction been put upon it in the West Indies, and that fact had come to the official knowledge of the Right Honourable Gentleman, who is now, very erroneously perhaps, stated to have affirmed in Parliament the existence of a free port slave trade with our enemies, he would no doubt immediately, as a point of private as well as public duty, have reported it to the late minister; for Mr. Rose was vice-president of the committee of the Privy Council, usually called the Board of Trade, from the beginning, I think, of the present war with Spain, to the end of Mr. Pitt's administration. He would therefore unquestionably, by some means, have guarded his illustrious friend's feelings, and his reputation, from the possible charge of having connived at a trade in the present war, which he had so publicly repudiated during the last.

It is no disparagement to Mr. Pitt's memory, to suppose that he knew as little of the trade of New Providence, as of that of Tombuctoo. He naturally relied on his right honourable friends at the Board of Trade and Plantations, for watching over

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those remote commercial interests; and therefore had Mr. Rose known of any such trade as that in question, it would have been his immediate duty to report it to the minister, or rather officially to propose what I apprehend it was in his own immediate department to originate, a new royal instruction for its suppression.

I verily believe, however, that no such trade has existed; and therefore Mr. Rose's language in last night's debate is probably misreported.

The unavoidable inaccuracy in hasty newspaper reports of parliamentary speeches, must have led to other mistakes, as to the assertions of the same respectable gentleman; for Mr. Rose is reported to have represented the average value of a cargo of British manufactures sent in these free por slave ships, as being about £50,000 sterling; whereas, by the slave-carrying acts, sloops, schooners, and other small vessels, not having more than one deck, can alone be employed in the foreign trade of th free ports. (See the consolidating free port act of 45 Geo. III. cap. 57, brought in, I believe, under Mr. Rose's own auspices.) But lest uninformed readers should suppose that such vessels really crry cargoes in general of £50,000 value, I take o me to assert, and might appeal to all the nobl and right honourable persons who have presided in prize causes at the Cockpit, within eight or n years past, to support the assertion, that a *tenth part* of the above sum would be an excessive stimate, supposing that an average of

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the whole may be fairly taken from the many vessels and cargoes of this description that have been the subjects of appeal.

But the most important error ascribed by the newspapers to this very intelligent gentleman, is the notion that our manufactures cannot lawfully be introduced from these ports into the Spanish colonies, *without being accompanied by slaves*, and that *under the cover of carrying slaves* they may be, and are, imported there.

Here let me quote part of this probably erroneous report, as given in the Morning Chronicle, lest a well-informed reader should suppose the strange inaccuracy my own. "Mr. FRANCIS then said, "that we had this fact, that a cargo of the value "of £50,000, might be sold in these colonies, "*under the cover of seven slaves, and that it could* "*not be sold, without this cover.*—Mr. ROSE, *I do* "*assert that fact.*"

Now in opposition to this supposed assertion, I will undertake to prove, that the intercourse between our free ports and the Spanish colonies is wholly prohibited by the laws of those colonies; and that neither seven, nor seven hundred slaves, would exempt any vessel engaged in it from seizure and confiscation, if detected in a Spanish port, or by a Spanish Guarda Costa; in short, *that the whole existing commerce between our free ports and the Spanish West Indies, is contraband by the Spanish law.*

Here again I can confidently refer to the Lords

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Commissioners of Prize Appeals. The fact has repeatedly appeared before them; and I turn only to one of many cases that might be cited, for the following extract in proof of it.

Case of the NOSTRA SEIGNORA DEL ROSARIO, J. P. SANCHEZ, Master, heard at the Cockpit, in 1802.

This was a licensed Spanish vessel, which had carried goods from New Providence to the Havannah, and on her return was seized, because the term of her licence had expired, and prosecuted in the Vice Admiralty Court of the Bahamas.

The excuse set up was that of a long detention on the coast of the Spanish colony, *in consequence of the illicit nature of the trade, and the necessity of concealment;* and the following passage is extracted from the affidavit of the claimant, a merchant of New Providence: "That the said Brigantine was "detained some time in the port of Havannah by "an embargo, *and by other unavoidable causes, in* "*a voyage, which requires to be concealed from the* "*Spanish government*, was prevented from com-"pleting the said voyage in sixty days."

Is it supposed that a British merchant would untruly represent on his oath a public fact, the truth or falsehood of which must be notorious on the spot?—At least, the Judge of the Vice Admiralty of New Providence, could not be deceived by such perjury; and yet on this evidence he acquitted the vessel and cargo, and the Lords Commissioners affirmed his sentence.

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In other licenced cases, the subjects of appeal, Spanish vessels have been rescued by our cruisers out of the possession of their own Guarda Costas which had seized them: and so notorious is the illegality of the trade by the Spanish law, that false papers and destruction of papers, have been connived at, in our prize courts, in such cases; on account of the known necessity of concealment and misrepresentation in the Spanish ports. *But in no one of these cases has the mask in question been found on board; they have carried British manufactures, but not a single slave.*

"Are slaves then in no instance a key to the "ports of the Spanish colonies?" There was such a case; but it is so far from supporting the arguments imputed to Mr. Rose, that if the case still exists, it furnishes new ground for the measure I here recommend.

The laws of the Spanish colonies have been greatly relaxed in all respects, in consequence of the war, but only in favour of *neutral* vessels; and even these, during part at least of the late war, were obliged to bring slaves, in order to entitle them to export the produce of the colony, which they were allowed to do, to the amount of the proceeds of the slaves. It became therefore a practice in *neutral*, not *British* or *Spanish* vessels, to import a few slaves; and by enormously aggravating the proceeds, in fictitious accounts of sales, to export colonial produce to a far greater value, while under cover of this favoured trade, other merchan-

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dize was copiously introduced. The necessity, I believe, of such pretexts has ceased.

But do the neutral slave traders, or even the agents of British slave traders sailing under foreign colours, assist the importation of *British* merchandize or manufactures into these colonies?—On the contrary, as far as their slave trade increases their general dealings with those colonies, it favours the introduction only of *foreign* European manufactures. The truth is, that slave ships from Africa, bring no manufactures of any kind, but the vessels that carry slaves to the Havannah, and other Spanish ports, when they clear out from the neutral islands, often carry *foreign* manufactures from thence; and merchants stationed there as general agents for the Spanish slave merchants, or for our own, also supply the Spanish colonies copiously with the manufactures, not of this country, but of *France*, *Germany*, and *Holland* *.

The true state of the case therefore, is not only different from, but diametrically opposite to, the representation of it ascribed to Mr. Rose. The slave trade to the Spanish colonies, as far as it is the source or vehicle of other commerce, rivals and supplants, instead of protecting and extending, the trade in British manufactures; and whether we supply those colonies through our free ports with British goods to the amount of three millions annually, as this gentleman is stated to have

* See note M, in the Appendix to War in Disguise.

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asserted, or as I rather believe, not with one fourth part of that amount, the trade, such as it is, will be augmented, not diminished, by the cessation of the foreign slave trade.

It seems impossible however that Mr. Rose's speech can be rightly reported; because if *slaves* were a necessary cover for free port trade, then the free port instructions and licences, became a mere mockery, when slaves were struck out of the enumeration; and consequently, Mr. Pitt's explanation, and the revocatory instruction itself, would have been an imposition upon Parliament, and the public, of which neither the friends, nor the enemies of that great and dignified character, will believe him to have been capable.

On the whole therefore there must be more than ordinary inaccuracy and blunder, in the report which has called forth these remarks.

The reader perhaps may think that these commentaries on the parliamentary discussion have no necessary connection with my main subject; but the contrary is the case; for if a gentleman, late so high in office, and the peculiar organ of the Government in matters of colonial commerce, had really stated such facts, and supported such politico-commercial views in Parliament, at the present critical conjuncture, and if his views should be adopted in the House of Peers, they would raise a difficulty, which in sustaining the belligerent rights of my country, I should find it hard to surmount.

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It was frankly acknowledged in my late pamphlet, and I again distinctly admit, that Great Britain has no right to prevent neutrals from carrying on any trade with the colonies of her enemies, that she is not willing to forego herself.—If therefore we were actually at this moment supplying the Spanish colonies with slaves through our free ports, and deriving through that supply a commerce worth three millions sterling a year; and if a bill should be rejected on the ground, that this trade is essential to our national welfare, then it is impossible to maintain that neutral nations ought to be restrained from supplying the colonies of our enemies with the same article at least; and since a large part of the produce of Cuba, has of late years been paid in return for slaves imported, it would be equally impossible to maintain, that such returns may not be brought away and carried to the best markets, in neutral vessels.—In short, if it were a part of our own fixed system, that the hostile colonies shall be supplied with slaves by British subjects during the war, I can neither on the ground of regard to our own unfortunate planters, nor of justice to the neutral powers, find any consistent principle on which any part of the rule of the war 1756 worth preserving, ought now to be enforced.

Quite irreconcileable with the views ascribed to Mr. Rose, was the reply which I meant to offer to the most specious argument of the American Government, if decision should not preclude the utility of any reply—I cannot regard those feeble

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palliatives to which we have been driven by the invasion of our maritime rights to have recourse, the relaxations of our own commercial system, as any better defence to the neutrals by whose conduct they were occasioned, than the calling in a surgeon to heal a wound, would be to the wrong doer who inflicted it. But I never for a moment supposed that the licensed trade of our free ports, or any other relaxation of the law of war, ought to survive the resumption of our belligerent rights: and I regarded these innovations on our good old maxims of war, as miserable temporising expedients, which might be brushed away with far more advantage than loss.

The views, estimates, and statements now publicly imputed to a late vice-president of our board of trade, would, if real, and if adopted in Parliament, present a very different case; and a construction also imputed to him of a late Act of Parliament, would, if I rightly apprehend that part of the report, be a source of further embarrassment.

The American author of the "Examination of the British Doctrine," appeared to me to have made a very unfair use of that Act, (45 Geo. III. cap. 57, sec. 5,) which I regarded, not as meant for operation during hostilities, *any further than as his Majesty's relaxations of the law of war might give it special and temporary efficacy;* but if it really has the effect of legalizing an intercourse with the enemy, and controlling the general law of war, *without a special licence* (which must be the case, if this Act sanctions

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a trade, not sanctioned by the free port instructions) then the strictures of this writer are fair enough—I must in that case admit it to have been a grand and radical innovation, on our own belligerent system*.

I have felt it necessary therefore in every view to profit by the unforeseen delay of this publication, till Monday next, and to enlarge its bulk, for the sake of entering this protest against the parliamentary reports in our newspapers; and of adding, that if they could be supposed in this instance to be accurate, I should as widely and as firmly protest, against the very respectable authority even of Mr. Rose himself.

* I cannot help thinking this Act very carelessly drawn, as well as badly expounded; for sec. 9. opens the door to a fraud that may be very injurious to our planters, by the circuitous introduction of French and Spanish sugar and coffee from the free ports into this country through our own sugar colonies, without payment of foreign duties.

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23.

SPEECH

OF THE HON. J. RANDOLPH,

ON THE NON-IMPORTATION RESOLUTION OF MR. GREGG.

I AM extremely afraid, sir, that so far as it may depend on my acquaintance with details connected with the subject, I have very little right to address you: for, in truth, I have not yet seen the documents from the Treasury, which were called for some time ago, to direct the judgment of this house in the decision of the question now before you; and indeed, after what I have this day heard, I no longer require that document, or any other document; indeed, I do not know that I ever should have required it, to vote on the resolution of the gentleman from Pennsylvania. If I had entertained any doubts, they would have been removed by the style in which the friends of the resolution have this morning discussed it. I am perfectly aware, that upon entering on this subject, we go into it manacled, hand-cuffed, and tongue-tied. Gentlemen know that our lips are sealed on subjects of momentous foreign relations, which are indissolubly linked with the present question, and which would serve to throw a great light on it in every respect relevant to it. I will, however, endeavour to hobble over the subject, as well as my fettered limbs and palsied tongue will enable me to do it.

I am not surprised to hear this resolution discussed by its friends as a war measure. They say, it is true, that it is not a war measure; but they defend it on principles which

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would justify none but war measures, and seem pleased with the idea that it may prove the forerunner of war. If war is necessary; if we have reached this point, let us have war. But while I have life, I will never consent to these incipient war measures, which in their commencement breathe nothing but peace, though they plunge us at last into war. It has been well observed by the gentleman from Pennsylvania, behind me (Mr. J. Clay), that the situation of this nation in 1793, was in every respect different from that in which it finds itself in 1806. Let me ask, too, if the situation of England is not since materially changed? Gentlemen, who, it would appear from their language, have not got beyond the horn-book of politics, talk of our ability to cope with the British navy, and tell us of the war of our revolution. What was the situation of Great Britain then? She was then contending for the empire of the British channel, barely able to maintain a doubtful equality with her enemies, over whom she never gained the superiority until Rodney's victory of the 12th of April. What is her present situation? The combined fleets of France, Spain, and Holland, are dissipated; they no longer exist. I am not surprised to hear men advocate these wild opinions, to see them goaded on by a spirit of mercantile avarice, straining their feeble strength to excite the nation to war, when they have reached this stage of infatuation, that we are an over-match for Great Britain on the ocean. It is mere waste of time to reason with such persons. They do not deserve any thing like serious refutation. The proper arguments for such statesmen are a strait waistcoat, a dark room, water-gruel, and depletion.

It has always appeared to me that there are three points to be considered, and maturely considered, before we can be prepared to vote for the resolution of the gentleman from Pennsylvania. *First.* Our ability to contend with Great Britain for the question in dispute: *Secondly.* The policy of

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such a contest: and *Thirdly*. In case both these shall be settled affirmatively, the manner in which we can, with the greatest effect, re-act upon and annoy our adversary.

Now the gentleman from Massachusetts (Mr. Crowninshield), has settled at a single sweep, to use one of his favorite expressions, not only that we are capable of contending with Great Britain on the ocean, but that we are actually her superior. Whence does the gentleman deduce this inference? Because, truly, at that time, when Great Britain was not mistress of the ocean, when a North was her prime minister, and a Sandwich the first lord of her admiralty; when she was governed by a counting-house administration, privateers of this country trespassed on her commerce. So too did the cruisers of Dunkirk. At that day Suffrein held the mastery of the Indian seas. But what is the case now? Do gentlemen remember the capture of Cornwallis on land, because De Grasse maintained the dominion of the ocean? To my mind no position is more clear, than that if we go to war with Great Britain, Charleston and Boston, the Chesapeake and the Hudson, will be invested by British squadrons. Will you call on the count de Grasse to relieve them, or shall we apply to admiral Gravina, or admiral Villeneuve, to raise the blockade? But you have not only a prospect of gathering glory, and, what seems to the gentleman from Massachusetts much dearer, to profit by privateering, but you will be able to make a conquest of Canada and Nova Scotia. Indeed? Then, sir, we shall catch a tartar. I confess, however, I have no desire to see the senators and the representatives of the Canadian French, or of the tories and refugees of Nova Scotia, sitting on this floor, or that of the other house—to see them becoming members of the union, and participating equally in our political rights. And on what other principle would the gentleman from Massachusetts be for incorporating those provinces with us? Or on what other principle could it be done

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under the constitution? If the gentleman has no other bounty to offer us for going to war, than the incorporation of Canada and Nova Scotia with the United States, I am for remaining at peace.

What is the question in dispute? The carrying-trade. What part of it? The fair, the honest, and the useful trade that is engaged in carrying our own productions to foreign markets, and bringing back their productions in exchange? No, sir; it is that carrying trade which covers enemy's property, and carries the coffee, the sugar, and other West-India products, to the mother country. No, sir; if this great agricultural nation is to be governed by Salem and Boston, New-York and Philadelphia, and Baltimore and Norfolk and Charleston, let gentlemen come out and say so; and let a committee of public safety be appointed from those towns to carry on the government. I, for one, will not mortgage my property and my liberty to carry on this trade. The nation said so seven years ago; I said so then, and I say so now. *It is not for the honest carrying-trade of America, but for this mushroom, this fungus of war, for a trade which, as soon as the nations of Europe are at peace, will no longer exist; it is for this that the spirit of avaricious traffic would plunge us into war.*

I am forcibly struck on this occasion by the recollection of a remark made by one of the ablest, if not honestest, ministers that England ever produced. I mean Sir Robert Walpole, who said that the country gentlemen, poor meek souls! came up every year to be sheared; that they laid mute and patient whilst their fleeces were taking off; but that if he touched a single *bristle* of the commercial interest, the whole stye was in an uproar. It was indeed shearing the hog—"great cry, and little wool."

But we are asked, are we willing to bend the neck to England; to submit to her outrages? No, sir; I answer, that it will be time enough for us to tell gentlemen what we

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will do to vindicate the violation of our flag on the ocean, when they shall have told us what they have done, in resentment of the violation of the actual territory of the United States by Spain, the true territory of the United States, not your new-fangled country over the Mississippi, but the good old United States—part of Georgia, of the old thirteen states, where citizens have been taken, not from our ships, but from our actual territory. When gentlemen have taken the padlock from our mouths, I shall be ready to tell them what I will do relative to our dispute with Britain, on the law of nations, on contraband, and such stuff.

I have another objection to this course of proceeding.—Great-Britain, when she sees it, will say the American people have great cause of dissatisfaction with Spain. She will see by the documents furnished by the President, that Spain has *outraged our territory, pirated upon our commerce, and imprisoned our citizens;* and she will enquire what we have done? It is true, she will receive no answer; but she must know what we have not done. She will see that we have not repelled these outrages, nor made any addition to our army and navy, nor even classed the militia. No, sir; not one of our militia generals in politics has marshalled a single brigade.

Although I have said it would be time enough to answer the question, which gentlemen have put to me, when they shall have answered mine; yet, as I do not like long prorogations, I will give them an answer now. I will never consent to go to war for that which I cannot protect. I deem it no sacrifice of dignity to say to the Leviathan of the deep, we are unable to contend with you in your own element, but if you come within our actual limits, we will shed our last drop of blood in their defence. In such an event, I would feel, not reason; and obey an impulse which never has—which never can deceive me.

France is at war with England: suppose her power on

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the continent of Europe no greater than it is on the ocean. How would she make her enemy feel it? There would be a perfect non-conductor between them. So with the United States and England; *she scarcely presents to us a vulnerable point. Her commerce is carried on, for the most part, in fleets; where in single ships, they are stout and well armed;* very different from the state of her trade during the American war, when her merchantmen became the prey of paltry privateers. Great-Britain has been too long at war with the three most powerful maritime nations of Europe, not to have learnt how to protect her trade. She can afford convoy to it all; she has eight hundred ships in commission: the navies of her enemies are annihilated. Thus, this war has presented the new and curious political spectacle of a regular annual increase (and to an immense amount) of her imports and exports, and tonnage and revenue, and all the insignia of accumulating wealth, whilst in every former war, without exception, these have suffered a greater or less diminution. And wherefore? Because she has driven France, Spain and Holland, from the ocean. Their marine is no more. I verily believe that ten English ships of the line would not decline a meeting with the combined fleets of those nations. *I forewarn the gentleman from Massachusetts, and his constituents of Salem, that all their golden hopes are vain. I forewarn them of the exposure of their trade beyond the Cape of Good-Hope (or now doubling it) to capture and confiscation; of their unprotected sea-port towns, exposed to contribution or bombardment.* Are we to be legislated into a war by a set of men, who in six weeks after its commencement may be compelled to take refuge with us in the country?

And for what? a mere fungus—a mushroom production of war in Europe, which will disappear with the first return of peace—an unfair truce. *For is there a man so credulous as to believe that we possess a capital, not only*

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equal to what may be called our own proper trade, but large enough also to transmit to the respective parent states, the vast and wealthy products of the French, Spanish, and Dutch colonies? 'Tis beyond the belief of any rational being. But this is not my only objection to entering upon this naval warfare. I am averse to a naval war with any nation whatever. I was opposed to the naval war of the last administration, and I am as ready to oppose a naval war of the present administration, should they meditate such a measure. What! shall this great mammoth of the American forest leave his native element, and plunge into the water in a mad contest with the shark? Let him beware that his proboscis is not bitten off in the engagement. Let him stay on shore, and not be excited by the muscles and perriwinkles on the strand, or political bears, in a boat to venture on the perils of the deep. Gentlemen say, will you not protect your violated rights? and I say, why take to water, where you can neither fight nor swim? Look at France; see her vessels stealing from port to port, on her own coast; and remember that she is the first military power of the earth, and as a naval people, second only to England. *Take away the British navy, and France tomorrow is the tyrant of the ocean.*

This brings me to the second point. *How far is it politic in the United States to throw their weight into the scale of France at this moment?—from whatever motive to aid the views of her gigantic ambition—to make her mistress of the sea and land—to jeopardise the liberties of mankind. Sir, you may help to crush Great-Britain—you may assist in breaking down her naval dominion, but you cannot succeed to it. The iron sceptre of the ocean will pass into his hands who wears the iron crown of the land. You may then expect a new code of maritime law. Where will you look for redress?* I can tell the gentleman from Massachusetts, that there is nothing in his Rule.

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of Three that will save us, even although he should out-do himself, and exceed the financial ingenuity which he so memorably displayed on a recent occasion.* No, sir; let the battle of Actium be once fought, and the whole line of sea-coast will be at the mercy of the conqueror. The Atlantic, deep and wide as it is, will prove just as good a barrier against his ambition, if directed against you, as the Mediterranean to the power of the Cæsars. Do I mean, when I say so, to crouch to the invader? No, I will meet him at the water's edge, and fight every inch of ground from thence to the mountains, from the mountains to the Mississippi. But after tamely submitting to an outrage on your domicile, will you bully and look big at an insult on your flag three thousand miles off?

But, sir, I have yet a more cogent reason against going to war for the honour of the flag in the narrow seas, or any other maritime punctilio. It springs from my attachment to the principles of the government under which I live. I declare, in the face of day, that this government was not instituted for the purposes of offensive war. No; it was framed, to use its own language, *for the common defence* and the general welfare, which are inconsistent with offensive war. I call that offensive war, which goes out of our jurisdiction and limits, for the attainment or protection of objects, not within those limits, and that jurisdiction. As, in 1798, I was opposed to this species of warfare, because I believed it would raze the constitution to the very foundation; so, in 1806, am I opposed to it, and on the same grounds. No sooner do you put the constitution to this use—to a test which it is by no means calculated to endure, than its incompetency to such purposes becomes manifest and apparent to all. I fear, if you go into a foreign war for a circuitous unfair carrying-trade, you will come out without your constitution. Have you not contractors enough in this house? Or do you want to be overrun and devour-

* In a debate on a bill fixing the prices which the commissioners of the sinking fund should not exceed, in their purchases of public debts, Mr. Crownin shield had asserted, that three per cent. were worth only half as much as the sixes; in other words, that the value of the stocks was in the ratio of their respective rates of interest, and not compounded of principal and interest.—Thus, if the 3 per cent. are at 60, the true value of the 6 per cent. would be

ed by commissaries, and all the vermin of contract? I fear, sir, that what are called the energy-men will rise up again—men who will burn the parchment. We shall be told that our government is too free; or, as they would say, weak and inefficient. Much virtue, sir, in terms. That we must give the President power to call forth the resources of the nation; that is, to filch the last shilling from our pockets—to drain the last drop of blood from our veins. I am against giving this power to any man, be he who he may. The American people must either withhold this power, or resign their liberties. There is no other alternative. Nothing but the most imperious necessity will justify such a grant. And is there a powerful enemy at our doors? You may begin with a first consul; from that chrysalis state he soon becomes an emperor. You have your choice. It depends upon your election, whether you will be a free, happy, and united people at home, or the light of your executive majesty shall beam across the Atlantic, in one general blaze of the public liberty.

For my part, I never will go to war but in self-defence. I have no desire for conquests—no ambition to possess Nova Scotia—I hold the liberties of this people at a higher rate. Much more am I indisposed to war, when among the first means for carrying it on, I see gentlemen propose the confiscation of debts due by government to individuals. Does a *bonâ fide* creditor know who holds his paper? Dare any honest man ask himself the question? 'Tis hard to say whether such principles are more detestably dishonest, than they are weak and foolish. What, sir, will you go about with proposals for opening a loan in one hand, and a sponge for the national debt in the other? If, on a late occasion, you could not borrow at a less rate of interest than eight per cent. when the government avowed that they would pay to the last shilling of the public ability, at what price do you expect to raise money with an avowal of these nefarious opinions?—

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God help you! if these are your ways and means for carrying on war—if your finances are in the hands of such a chancellor of the exchequer. Because a man can take an observation, and keep a log-book and a reckoning; can navigate a cock-boat to the West Indies, or the East; shall he aspire to navigate the great vessel of state—to stand at the helm of public councils? *Ne sutor ultra crepidam.* What are you going to war for? For the carrying trade. Already you possess seven-eighths of it. What is the object in dispute? The fair, honest trade, that exchanges the produce of our soil for foreign articles for home consumption? Not at all.

You are called upon to sacrifice this necessary branch of your navigation, and the great agricultural interest, whose handmaid it is, to jeopardize your best interests, for a circuitous commerce, for the fraudulent protection of belligerent property under your neutral flag. Will you be goaded by the dreaming calculations of insatiate avarice, to stake your all for the protection of this trade? I do not speak of the probable effects of war on the price of our produce; severely as we must feel, we may scuffle through it. I speak of its reaction on the constitution. You may go to war for this excrescence of the carrying-trade—and make peace at the expense of the constitution. Your executive will lord it over you, and you must make the best terms with the conqueror that you can. But the gentleman from Pennsylvania (Mr. Gregg) tells you, that he is for acting in this, as in all things, uninfluenced by the opinion of any foreign minister whatever—foreign, or, I presume, domestic. On this head I am willing to meet the gentleman, am unwilling to be dictated to by any minister at home or abroad. Is he willing to act on the same independent footing? I have before protested, and I again protest, against secret, irresponsible, overruling influence. The first question I asked when I saw the gentleman's resolution was, "Is this a measure of the cabinet?" Not an open declared cabinet, but an invisible, inscrutable, unconstitutional

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cabinet—without responsibility, unknown to the constitution. I speak of back-stairs influence, of men who bring messages to this house, which, although they do not appear on the journals, govern its decisions. Sir, the first question that I asked on the subject of British relations was, what was the opinion of the cabinet? What measures will they recommend to Congress? (well knowing that whatever measures we might take, they must execute them, and therefore that we should have their opinion on the subject.)—My answer was (and from a cabinet minister too), "*There is no longer any cabinet.*" Subsequent circumstances, sir, have given me a personal knowledge of the fact. It needs no commentary.

But the gentleman has told you that we ought to go to war, if for nothing else, for the fur trade. Now, sir, the people on whose support he seems to calculate follow, let me tell him, a better business; and let me add, that whilst men are happy at home reaping their own fields, the fruits of their labor and industry, there is little danger of their being induced to go sixteen or seventeen hundred miles in pursuit of beavers, racoons or opossums—much less of going to war for the privilege. They are better employed where they are. This trade, sir, may be important to Britain, to nations who have exhausted every resource of industry at home—bowed down by taxation and wretchedness. Let them, in God's name, if they please, follow the fur trade. They may, for me, catch every beaver in North America. Yes, sir, our people have a better occupation—a safe, profitable, honorable employment. Whilst they should be engaged in distant regions in hunting the beaver, they dread, lest those whose natural prey they are, should begin to hunt them—should pillage their property, and assassinate their constitution. Instead of these wild schemes, pay off your public debt, instead of prating about its confiscation. Do not, I beseech you, expose at once your knavery and your

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folly. You have more lands than you know what to do with —you have lately paid fifteen millions for yet more. Go and work them—and cease to alarm the people, with the cry of wolf, until they become deaf to your voice, or at least laugh at you.

Mr. Chairman, if I felt less regard for what I deem the best interests of this nation than for my own reputation, I should not, on this day, have offered to address you; but would have waited to come out, bedecked with flowers and bouquets of rhetorick, in a set speech. But, sir, I dread lest a tone might be given to the mind of the committee—they will pardon me, but I did fear from all that I could see, or hear, that they might be prejudiced by its advocates (under pretence of protecting our commerce) in favor of this ridiculous and preposterous project—*I rose, sir, for one, to plead guilty—to declare in the face of day that I will not go to war for this carrying-trade. I will agree to pass for an ideot, if this is not the public sentiment; and you will find it to your cost, begin the war when you will.*

Gentlemen talk of 1793. They might as well go back to the Trojan war. What was your situation then? Then every heart beat high with sympathy for France—for *republican* France! I am not prepared to say, with my friend from Pennsylvania, that we were all ready to draw our swords in her cause, but I affirm that we were prepared to have gone great lengths. I am not ashamed to pay this compliment to the hearts of the American people, even at the expense of their understandings. It was a noble and generous sentiment, which nations, like individuals, are never the worse for having felt. They were, I repeat it, ready to make great sacrifices for France. And why ready? because she was fighting the battles of the human race against the combined enemies of their liberty—*because she was performing the part which Great Britain now, in fact, sustains—forming the only bulwark against universal dominion.—Knock away*

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her navy, and where are you? Under the naval despotism of France, unchecked, unqualified by any antagonizing military power—at best but a change of masters. The tyrant of the ocean, and the tyrant of the land, is one and the same; lord of all, and who shall say him nay, or wherefore doest thou this thing? Give to the tiger the properties of the shark, and there is no longer safety for the beasts of the forests, or the fishes of the sea. Where was this high anti-Britannic spirit of the gentleman from Pennsylvania, when his vote would have put an end to the British treaty, that pestilent source of evil to this country? and at a time, too, when it was not less the interest than the sentiment of this people to pull down Great Britain and exalt France. Then, when the gentleman might have acted with effect, he could not screw his courage to the sticking-place. Then, England was combined in what has proved a feeble, inefficient coalition, but which gave just cause of alarm to every friend of freedom. *Now, the liberties of the human race are threatened by a single power, more formidable than the coalesced world, to whose utmost ambition, vast as it is, the naval force of Great Britain forms the only obstacle.*

I am perfectly sensible and ashamed of the trespass I am making on the patience of the committee; but as I know not whether it will be in my power to trouble them again on this subject, I must beg leave to continue my crude and desultory observations. I am not ashamed to confess that they are so.

At the commencement of this session we received a printed message from the President of the United States, breathing a great deal of national honour and indication of the outrages we had endured, particularly from Spain. She was specially named and pointed at. She had pirated upon your commerce, imprisoned your citizens, violated your actual territory, invaded the very limits solemnly established between the two nations, by the treaty of San Lorenzo. Some

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of the state legislatures (among others the very state on which the gentleman from Pennsylvania relies for support) sent forward resolutions pledging their lives, their fortunes, and their sacred honour, in support of any measures you might take in vindication of your injured rights. Well, sir, what have you done? You have had resolutions laid upon your table—gone to some expense of printing and stationary—mere pen, ink, and paper, and that's all. Like true political quacks, you deal only in handbills and nostrums. Sir, I blush to see the record of our proceedings; they resemble nothing but the advertisements of patent medicines. Here you have "the Worm Destroying Lozenges," there, 'Church's Cough Drops,"—and, to crown the whole, "Sloan's Vegetable Specific," an infallible remedy for all nervous disorders and vertigoes of brain-sick politicians; each man earnestly adjuring you to give his medicine only a fair trial. If, indeed, these wonder-working nostrums could perform but one half of what they promise, there is little danger of our dying a political death, at this time at least. But, sir, in politics as in physic, the doctor is oftimes the most dangerous disease—and this I take to be our case at present.

But, sir, why do you talk of Spain? There are no longer Pyrenees. There exists no such nation—no such being as a Spanish king, or minister. It is a mere juggle played off for the benefit of those who put the mechanism into motion. You know, sir, that you have no differences with Spain—that she is the passive tool of a superior power, to whom, at this moment, you are crouching. Are your differences indeed with Spain? And where are you going to send your political panacea (resolutions and handbills excepted), your sole arcanum of government—your king cure-all?—To Madrid? No—you are not such quacks as not to know where the shoe pinches—*to Paris*.—You know at least where the disease lies, and there apply your remedy. When the nation anxiously demands the result

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of your deliberations, you hang your heads, and blush to tell. *You are afraid to tell.* Your mouth is hermetically sealed. Your honour has received a wound which must not take air. Gentlemen dare not come forward and avow their work, much less defend it in the presence of the nation. Give them all they ask, that Spain exists, and what then? *After shrinking from the Spanish jackall, do you presume to bully the British lion?* But here it comes out: Britain is your rival in trade, and governed, as you are, by counting-house politicians: you would sacrifice the paramount interests of your country, to wound that rival. For Spain and France you are carriers—and from customers every indignity is to be endured. *And what is the nature of this trade? Is it that carrying-trade which sends abroad the flour, tobacco, cotton, beef, pork, fish, and lumber of this country, and brings back in return foreign articles necessary for our existence or comfort? No, sir, 'tis a trade carried on, the Lord knows where or by whom:*—now doubling Cape Horn, now the Cape of Good Hope. I do not say that there is no profit in it—for it would not then be pursued—but 'tis a trade that tends to assimilate our manners and government to those of the most corrupt countries of Europe. Yes, sir; and when a question of great national magnitude presents itself to you, causes those who now prate about national honour and spirit, to pocket any insult—to consider it as a mere matter of debt and credit, a business of profit and loss—and nothing else.

The first thing that struck my mind when this resolution was laid on the table was, *unde derivatur?* a question always put to us at school—whence comes it? Is this only the putative father of the bantling he is taxed to maintain, or indeed the actual parent, the real progenitor of the child? or is it the production of the cabinet? But I knew you had *no* cabinet; no system. I had

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seen dispatches, relating to vital measures, laid before you, the day after your final decision on those measures, four weeks after they were received; not only their contents, but their very existence, all that time, unsuspected and unknown to men, whom the people fondly believe, assist, with their wisdom and experience, at every important deliberation. Do you believe that this system, or rather, this *no system*, will do? I am free to answer it will not. It cannot last. I am not so afraid of the fair, open, constitutional, responsible influence of government; but I shrink intuitively from this left-handed, invisible, irresponsible influence, which defies the touch, but pervades and decides every thing. Let the executive come forward to the legislature; let us see whilst we feel it. If we cannot rely on its wisdom, is it any disparagement to the gentleman from Pennsylvania to say that I cannot rely upon him? No, sir, he has mistaken his talent. He is not the Palinurus on whose skill the nation, at this trying moment, can repose their confidence. I will have nothing to do with his paper; much less will I indorse it, and make myself responsible for its goodness. I will not put my name to it. I assert, that there is no cabinet, no system, no plan. That which I believe in one place, I shall never hesitate to say in another. This is no time, no place for mincing our steps. The people have a right to know; they shall know the state of their affairs—at least, as far as I am at liberty to communicate them. I speak from personal knowledge. Ten days ago, there had been no consultation; there existed no opinion in your executive department; at least, none that was avowed. On the contrary, there was an express disavowal of any opinion whatsoever, on the great subject before you: and I have good reason for saying, that none has been formed since. Some time ago a book was laid on our tables, which, like some other bantlings, did not bear the name of its father.

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Here I was taught to expect a solution of all doubts; an end to all our difficulties. If, sir, I were the foe, as I trust I am the friend, to this nation, I would exclaim, " Oh! " that mine enemy would write a book." At the very outset, in the very first page, I believe, there is a complete abandonment of the principle in dispute. Has any gentleman got the work? *(It was handed by one of the members.)* The first position taken, is the broad principle of the unlimited freedom of trade, between nations at peace, which the writer endeavours to extend to the trade between a neutral and a belligerent power; accompanied, however, by this acknowledgment: " But, inasmuch as the trade of a neutral with a belligerent nation might, in certain special cases, *affect the safety of its antagonist, usage, founded on the principle of* NECESSITY, has admitted a few exceptions to the general rule." Whence comes the doctrine of contraband, blockade, and enemy's property? Now, sir, for what does that celebrated pamphlet, " War in Disguise," which is said to have been written under the eye of the British prime minister, contend, but this " principle of necessity." And this is abandoned by this pamphleteer, at the very threshold of the discussion. But as if this were not enough, he goes on to assign as a reason for not referring to the authority of the ancients, that " the great *change* which has taken place in the state of manners, in the maxims of war, *and in the course of commerce*, make it *pretty* certain"—(what degree of certainty is this?) " that either nothing will be found relating to the question, or *nothing sufficiently applicable to deserve attention in deciding it.*" Here, sir, is an apology of the writer for not disclosing the whole extent of his learning (which might have overwhelmed the reader), in the admission, that a change of circumstances (" in the course of commerce") has made, and, therefore, will now justify, a total change of the law of nations. What more could the most invete-

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rate advocate of English usurpation demand? What else can they require to establish all, and even more than they contend for? Sir, there is a class of men (we know them very well), who, if you only permit them to lay the foundation, will build you up, step by step, and brick by brick, very neat and shewy, if not tenable arguments. To detect them, 'tis only necessary to watch their premises, where you will often find the point at issue totally surrendered, as in this case it is. Again: is the *mare liberum* any where asserted in this book—that *free ships make free goods?*—No, sir; the right of search is acknowledged; that enemy's property is lawful prize, is sealed, and delivered. And after abandoning these principles, what becomes of the doctrine, that a mere shifting of the goods from one ship to another, the touching at another port, changes the property? Sir, give up this principle, and there is an end to the question. You lie at the mercy of the conscience of a court of admiralty. *Is Spanish sugar, or French coffee, made American property by the mere change of the cargo, or even by the landing and payment of the duties? Does this operation effect a change of property? And when those duties are drawn back, and the sugars and coffee re-exported, are they not, as enemy's property, liable to seizure,* upon the principles of the "examination of the British doctrine," &c. *And is there not the best reason to believe, that this operation is performed in many, if not in most, cases, to give a neutral aspect and colour to the merchandize?*

I am prepared, sir, to be represented as willing to surrender important rights of this nation to a foreign government. I have been told that this sentiment is already whispered in the dark, by time-servers and sycophants; but if your clerk dared to print them, I would appeal to your journals!—I would call for the reading of them; but that I know they are not for profane eyes to look upon.

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I confess that I am more ready to surrender to a naval power a square league of ocean, than to a territorial one a square inch of land, within our limits; and I am ready to meet the friends of the resolution, on this ground, at any time. Let them take off the injunction of secresy.—They dare not.—They are ashamed and afraid to do it. They may give winks and nods, and pretend to be wise, but they dare not come out, and tell the nation what they have done. Gentlemen may take notes, if they please; but I will never, from any motives short of self-defence, enter upon war. I will never be instrumental to the ambitious schemes of Bonaparte; nor put into his hands what will enable him to wield the world; and on the very principle that I wished success to the French arms, in 1793. And wherefore? Because the case is changed. Great-Britain can never again see the year 1760. Her continental influence is gone for ever. Let who will be uppermost on the continent of Europe, she must find more than a counterpoise for her strength. Her race is run. She can only be formidable as a maritime power: and even as such, perhaps, not long. Are you going to justify the acts of the last administration, for which they have been deprived of the government, at our instance? Are you going back to the ground of 1798-9?

I ask of any man who now advocates a rupture with England, to assign a single reason for his opinion, that would not have justified a French war in 1798. If injury and insult abroad would have justified it, we had them in abundance then. But what did the republicans say at that day? That, under the cover of a war with France, the executive would be armed with a patronage and power which might enable it to master our liberties. They deprecated foreign war and navies, and standing armies, and loans, and taxes. The delirium passed away;—the good sense of the people triumphed;—and our differences were ac-

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commodated without a war. And what is there in the situation of England that invites to war with her? 'Tis true she does not deal so largely in perfectibility, but she supplies you with a much more useful commodity—with coarse woollens. With less professions indeed, she occupies the place of France in 1793. She is the sole bulwark of the human race against universal dominion—No thanks to her for it. In protecting her own existence, she insures theirs. I care not who stands in this situation, whether England or Bonaparte—I practise the doctrines now, that I professed in 1798. Gentlemen may hunt up the journals if they please—I voted against all such projects under the administration of John Adams, and I will continue to do so under that of Thomas Jefferson. Are you not contented with being free and happy at home? Or will you surrender these blessings, that your merchants may tread on Turkish and Persian carpets, and burn the perfumes of the east in their vaulted rooms. Gentlemen say, 'tis but an annual million lost, and even if it were five times that amount, what is it compared with your neutral rights?—Sir, let me tell them a hundred millions will be but a drop in the bucket, if once they launch without rudder or compass, into this ocean of foreign warfare. Whom do they want to attack—England. They hope it is a popular thing—and talk about Bunker's Hill, and the gallant feats of our revolution. But is Bunker's Hill to be the theatre of war? No, sir, you have selected the ocean—and the object of attack is that very navy which prevented the combined fleets of France and Spain from levying contribution upon you in your own seas—that very navy which, in the famous war of 1798, stood between you and danger.

Whilst the fleets of the enemy were pent up in Toulon, or pinioned in Brest, we performed wonders, to be sure; but, sir, if England had drawn off, France would have told you quite a different tale. You would have struck no medals.

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This is not the sort of conflict that you are to count upon, if you go to war with Great-Britain. *Quem Deus vult perdere prius dementat.* And are you mad enough to take up the cudgels that have been struck from the nerveless hands of the three great maritime powers of Europe? Shall the planter mortgage his little crop, and jeopardise the constitution, in support of commercial monopoly? in the vain hope of satisfying the insatiable greediness of trade? Administer the constitution upon principles for the general welfare, and not for the benefit of any particular class of men. Do you meditate war for the possession of Baton-Rouge, or Mobile, places which your own laws declare to be within your limits? Is it even for the fair trade that exchanges your surplus products, for such foreign articles as you require? No, sir, 'tis for a circuitous traffic—an ignis fatuus. And against whom? A nation from whom you have any thing to fear? I speak as to our liberties. No, sir, with a nation from whom you have nothing, or next to nothing, to fear—to the aggrandizement of one against which you have every thing to dread. I look to their ability and interest—not to their disposition. When you rely on that, the case is desperate. Is it to be inferred from all this, that I would yield to Great-Britain? No; I would act towards her *now*, as I was disposed to do towards France in 1798-9—treat with her; and for the same reason, on the same principles. Do I say treat with her? At this moment you have a negociation pending with her government. With her you have not tried negociation and failed, totally failed, as you have done with Spain, or rather France. And wherefore, under such circumstances, this hostile spirit to the one, and this (I won't say what), to the other.

But a great deal is said about the laws of nations. What is national law, but national power guided by national interest? You yourselves acknowledge and practise upon this principle where you can, or where you dare; with the Indian tribes, for instance. I might give another and more for-

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cible illustration. Will the learned lumber of your libraries add a ship to your fleet, or a shilling to your revenue? Will it pay or maintain a single soldier? And will you preach and prate of violations of your neutral rights, when you tamely and meanly submit to the violation of your territory? Will you collar the stealer of your sheep, and let him escape that has invaded the repose of your fire side; has insulted your wife and children under your own roof? This is the heroism of truck and traffic—the public spirit of sordid avarice. Great-Britain violates your flag on the high seas. WHAT IS HER SITUATION? CONTENDING, NOT FOR THE DISMANTLING OF DUNKIRK, FOR QUEBEC, OR PONDICHERRY, BUT FOR LONDON AND WESTMINSTER—FOR LIFE. HER ENEMY VIOLATING, AT WILL, THE TERRITORIES OF OTHER NATIONS—ACQUIRING THEREBY A COLOSSAL POWER, THAT THREATENS THE VERY EXISTENCE OF HER RIVAL. BUT SHE HAS ONE VULNERABLE POINT TO THE ARMS OF HER ADVERSARY, WHICH SHE COVERS WITH THE ENSIGNS OF NEUTRALITY. SHE DRAWS THE NEUTRAL FLAG OVER THE HEEL OF ACHILLES. AND CAN YOU ASK THAT ADVERSARY TO RESPECT IT AT THE EXPENSE OF HER EXISTENCE?—AND IN FAVOUR OF WHOM?—AN ENEMY THAT RESPECTS NO NEUTRAL TERRITORY OF EUROPE, AND NOT EVEN YOUR OWN. I repeat that the insults of Spain towards this nation have been at the instigation of France: That there is no longer any Spain. Well, sir, because the French government do not put this into the Moniteur, you choose to shut your eyes to it. None so blind as those who will not see. You shut your own eyes, and to blind those of other people, you go into conclave, and slink out again and say—"a great affair of state!"—*C'est une grande affaire d'Etat!*—"It seems that your sensibility is entirely confined to the extremities. You may be pulled by the nose and ears, and never feel it; but let your strong box be attacked, and you are all nerve—"Let us go to war!" Sir, if they called upon me only for my little *peculium* to carry it on, perhaps I might give it: but my rights

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and liberties are involved in the grant, and I will never surrender them whilst I have life. The gentleman from Massachusetts (Mr. Crowninshield,) is for sponging the debt. I can never consent to it. I will never bring the ways and means of fraudulent bankruptcy into your committee of supply. Confiscation and swindling shall never be found among my estimates, to meet the current expenditure of peace or war. No, sir. I have said with the doors closed, and I say so when they are open, "pay the public debt." Get rid of that dead weight upon your government, that cramp upon all your measures, and then you may put the world at defiance. So long as it hangs upon you, you must have revenue, and to have revenue, you must have commerce—commerce, peace. And shall these nefarious schemes be advised for lightening the public burthens? will you resort to these low and pitiful shifts? will you dare even to mention these dishonest artifices, to eke out your expenses, when the public treasure is lavished on Turks and infidels; on singing boys, and dancing girls; to furnish the means of bestiality to an African barbarian?

Gentlemen say, that Great-Britain will count upon our divisions. How! What does she know of them? Can they ever expect greater unanimity than prevailed at the last Presidential election? No, sir; 'tis the gentleman's own conscience that squeaks. But if she cannot calculate upon your divisions, at least she may reckon upon your pusillanimity. She may well despise the resentment that cannot be excited to honourable battle on its own ground—the mere effusion of mercantile cupidity. Gentlemen talk of repealing the British treaty. The gentleman from Pennsylvania should have thought of that before he voted to carry it into effect. And what is all this for? A point which Great Britain will not abandon to Russia, you expect her to yield to you. Russia, indisputably the second power of continental Europe, with half a million of hardy troops, with sixty sail of the line, thirty million of subjects, a territory more extensive even than

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our own—Russia, sir, the store-house of the British navy—whom it is not more the policy and the interest, than the sentiment of that government, to soothe and to conciliate; her sole hope of a diversion on the continent—her only efficient ally. What this formidable power cannot obtain with fleets and armies, you will command by writ—with pot-hooks and hangers. I am for no such policy. True honour is always the same. Before you enter into a contest, public or private, be sure you have fortitude enough to go through with it. If you mean war, say so, and prepare for it. *Look on the other side—behold the respect in which France holds neutral rights on land—observe her conduct in regard to the Franconian estates of the King of Prussia: I say nothing of the petty powers—of the Elector of Baden, or of the Swiss: I speak of a first-rate monarchy of Europe, and at a moment too, when its neutrality was the object of all others nearest to the heart of the French Emperor. If you make him monarch of the ocean, you may bid adieu to it for ever. You may take your leave, sir, of navigation*—even of the Mississippi. What is the situation of New Orleans, if attacked to-morrow? Filled with a discontented and repining people—whose language, manners, and religion, all incline them to the invader—a dissatisfied people, who despise the miserable governor you have set over them—whose honest prejudices, and basest passions, alike take part against you. I draw my information from no dubious source—from a native American, an enlightened member of that odious and imbecile government. You have official information that the town and its dependencies are utterly defenceless and untenable—A firm belief, that apprised of this, government would do something to put the place in a state of security, alone has kept the American portion of that community quiet. You have held that post—you now hold it by the tenure of the naval predominance of England, and yet you are for a British naval war.

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There are now two great commercial nations. Great-Britain is one—we are the other. When you consider the many points of contact between our interests, you may be surprised that there has been so little collision. Sir, to the other belligerent nations of Europe your navigation is a convenience, I might say, a necessary. If you do not carry for them, they must starve, at least for the luxuries of life, which custom has rendered almost indispensable. And, if you cannot act with some degree of spirit towards those who are dependent upon you, as carriers, do you reckon to brow-beat a jealous rival, who, the moment she lets slip the dogs of war, sweeps you, at a blow, from the ocean? *And, cui bono? for whose benefit?—The planter?—Nothing like it:—The fair, honest, real American merchant?—No, sir—For renegadoes; to-day American—to-morrow, Danes. Go to war when you will, the property, now covered by the American, will then pass under the Danish, or some other neutral flag.* Gentlemen say, that one English ship is worth three of ours: we shall therefore have the advantage in privateering. Did they ever know a nation get rich by privateering? This is stuff for the nursery. Remember that your products are bulky—as has been stated—that they require a vast tonnage. Take these carriers out of the market:—What is the result? The manufactures of England, which (to use a finishing touch of the gentleman's rhetoric) have received the finishing stroke of art, lie in a small comparative compass. The neutral trade can carry them. Your produce rots in the warehouse—You go to Statia or St. Thomas's, and get a striped blanket for a joe, if you can raise one—Double freight, charges, and commission: Who receives the profit?—The carrier. Who pays it?—The consumer. All your produce that finds its way to England must bear the same accumulated charges—with this difference:—that *there* the burden falls on the home

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price. I appeal to the experience of the last war—which has been so often cited. What, then, was the price of produce, and of broadcloth?

But you are told England will not make war—she has her hands full.—Holland calculated in the same way, in 1781:—How did it turn out? You stand *now* in the place of Holland, then—without her navy, unaided by the preponderating fleets of France and Spain—to say nothing of the Baltic powers. Do you want to take up the cudgels where these great maritime powers have been forced to drop them? to meet Great-Britain on the ocean, and drive her off its face? If you are so far gone as this, every capital measure of your policy has hitherto been wrong. You should have nurtured the old, and devised new systems of taxation—have cherished your navy.—Begin this business when you may, land-taxes, stamp-acts, window-taxes, hearth-money, excise, in all its modifications of vexation and oppression, must precede, or follow after. But, sir, as French is the fashion of the day, I may be asked for my *projet*. I can readily tell gentlemen what I will *not* do. *I will not propitiate any foreign nation with money.* I will not launch into a naval war with Great Britain, although I am ready to meet her at the Cow-pens, or Bunker's Hill. And for this plain reason. We are a great land animal and our business is on shore. I will send her no money, sir, on any pretext whatsoever, much less on pretence of buying Labrador, or Botany Bay, when my real object was to secure limits, which she formally acknowledged at the peace of 1783. I go further—I would (if any thing) have laid an embargo. This would have got our own property home, and our adversary's into our power. If there is any wisdom left among us, the first step towards hostility will always be an embargo. In six months all your mercantile megrims would vanish. As to us, although it would cut deep, we can stand it. With-

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out such a precaution, go to war when you will, you go to the wall. *As to debts—strike the balance to-morrow, and England is I believe in our debt.*

I hope, sir, to be excused for proceeding in this desultory course. I flatter myself I shall not have occasion again to trouble you—I know not that I shall be able—certainly not willing, unless provoked in self-defence. I ask your attention to the character of the inhabitants of that southern country, on whom gentlemen rely for support of their measure. Who and what are they? A simple, agricultural people, accustomed to travel in peace to market, with the produce of their labor. Who takes it from us? Another people devoted to manufactures—our sole source of supply. I have seen some stuff in the news-papers about manufactures in Saxony, and about a man who is no longer the *chief of a dominant faction.* The greatest man whom I ever knew—the immortal author of the letters of Curtius—has remarked the proneness of cunning people to wrap up and disguise in well-selected phrases, doctrines too deformed and detestable to bear exposure in naked words;—by a judicious choice of epithets, to draw the attention from the lurking principle beneath, and perpetuate delusion.—But a little while ago, and any man might be proud to be considered as the *head* of the *republican party.* Now, it seems, 'tis reproachful to be deemed the *chief* of a *dominant faction.* Mark the magic words! Head, *chief.* Republican party, *dominant faction.* But as to these Saxon manufactures. What became of their Dresden China? Why the Prussian bayonets have broken all the pots, and you are content with Worcestershire or Staffordshire ware. There are some other fine manufactures on the continent, but no *supply*, except, perhaps, of linens, the article we can best dispense with. A few individuals, sir, may have a coat of Louviers cloth, or a service of Seve China—but there is too little, and that little too dear, to furnish the nation. You

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must depend on the fur trade in earnest, and wear buffalo hides and bear skins.

Can any man, who understands Europe, pretend to say, that a particular foreign policy is *now* right, because it would have been expedient twenty, or even ten years ago, without abandoning all regard for common sense? Sir, it is the statesman's province to be guided by circumstances, to anticipate, to foresee them—to give them a course and a direction—to mould them to his purpose. It is the business of a compting-house clerk to peer into the day-book and ledger, to see no further than the spectacles on his nose, to feel not beyond the pen behind his ear—to chatter in coffee-houses, and be the oracle of clubs. From 1783 to 1793 and even later (I don't stickle for dates), France had a formidable marine—so had Holland—so had Spain. The two first possessed thriving manufactures and a flourishing commerce. Great Britain, tremblingly alive to her manufacturing interests and carrying-trade, would have felt to the heart any measure calculated to favor her rivals in these pursuits—She would have yielded then to her fears and her jealousy alone. What is the case now? She lays an export duty on her manufactures, and there ends the question. If Georgia shall (from whatever cause) so completely monopolize the culture of cotton as to be able to lay an export duty of three per cent. upon it, besides taxing its cultivators, in every other shape that human or infernal ingenuity can devise, is Pennsylvania likely to rival her and take away the trade?

But, sir, it seems that we, who are opposed to this resolution, are men of no nerves—who trembled in the days of the British treaty—cowards (I presume) in the reign of terror? Is this true? Hunt up the journals; let our actions tell. We pursue our unshaken course. We care not for the nations of Europe, but make foreign relations bend to our political principles, and subserve our country's interest.

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We have no wish to see another Actium, or Pharsalia, or the lieutenants of a modern Alexander, playing at piquet, or all-fours, for the empire of the world. 'Tis poor comfort to us, to be told that France has too decided a taste for luxurious things to meddle with us; that Egypt is her object, or the coast of Barbary, and at the worst, we shall be the last devoured. We are enamoured with neither nation—we would play their own game upon them, use them for our interest and convenience. But with all my abhorrence of the British government, I should not hesitate between Westminster-Hall and a Middlesex-jury, on the one hand, and the wood of Vincennes, and a file of Grenadiers, on the other. That jury-trial which walked with Horne Tooke, and Hardy, through the flames of ministerial persecution, is, I confess, more to my taste, than the trial of the Duke d'Enghien.

Mr. Chairman, I am sensible of having detained the committee longer than I ought—certainly much longer than I intended. I am equally sensible of their politeness, and not less so, sir, of your patient attention. It is your own indulgence, sir, badly requited indeed, to which you owe this persecution. I might offer another apology for these undigested, desultory remarks; my never having seen the treasury documents. Until I came into the house this morning, I have been stretched on a sick bed. But when I behold the affairs of this nation instead of being where I hoped, and the people believed they were, in the hands of responsible men, committed to Tom, Dick, and Harry—to the refuse of the retail trade of politics—I do feel, I cannot help feeling, the most deep and serious concern. If the executive government would step forward and say, "such is our plan—such is our opinion, and such are our reasons in support of it," I would meet it fairly, would openly oppose, or pledge myself to support it. But without compass or polar star, I will not launch into an ocean of unexplored measures, which stand con-

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demned by all the information to which I have access. The constitution of the United States declares it to be the province and the duty of the President " to give to Congress, from time to time, information of the state of the union, and recommend to their consideration such measures as he shall judge expedient and necessary." Has he done it? I know, sir, that we may say, and do say, that we are independent; (would it were true) as free to give a direction to the executive as to receive it from him. But do what you will, foreign relations—every measure short of war, and even the course of hostilities, depend upon him. He stands at the helm, and must guide the vessel of state. You give him money to buy Florida, and he purchases Louisiana.—You may furnish means—the application of those means rests with him. Let not the master and mate go below when the ship is in distress, and throw the responsibility upon the cook and the cabin-boy. I said so when your doors were shut: I scorn to say less now that they are open. Gentlemen may say what they please. They may put an insignificant individual to the ban of the Republic; I shall not alter my course. I blush with indignation at the misrepresentations which have gone forth in the public prints of our proceedings, public and private. Are the people of the United States, the real sovereigns of the country, unworthy of knowing what, there is too much reason to believe, has been communicated to the privileged spies of foreign governments? I think our citizens just as well entitled to know what has passed, as the Marquis Yrujo, who has bearded your President to his face, insulted your government within its own peculiar jurisdiction, and outraged all decency. Do you mistake this diplomatic puppet for an automaton? He has orders for all he does. Take his instructions from his pocket to-morrow, they are signed " Charles Maurice Talleyrand." Let the nation know what they have to depend upon. Be

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true to them, and (trust me) they will prove true to themselves and to you. The people are honest; now at home at their ploughs, not dreaming of what you are about. But the spirit of enquiry, that has too long slept, will be, must be, awakened. Let them begin to think; not to say such things are proper because they have been done—but what has been done? and wherefore?—and all will be right.

THE END.

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